

North Carolina Childcare Licensing Rules Summary
Rules Effective May 1, 2004

Rules designed to reduce the risk of Sudden Infant Death Syndrome (SIDS) in North Carolina's childcare settings applies to all facilities licensed to care for infants 12 months of age or younger.

Required Training: ITS-SIDS
Infant/Toddler Safe Sleep and SIDS Risk Reduction in Child Care

SECTION .0700 - HEALTH AND OTHER STANDARDS FOR CENTER STAFF

10A NCAC 9 .0705 SPECIAL TRAINING REQUIREMENTS

Centers

- (1) the center director and any child care provider scheduled to work in the infant room, including volunteers counted in staff/child ratios, shall complete ITS-SIDS training;
- (2) ITS-SIDS training shall be completed within **four months** of the individual assuming responsibilities in the infant room or as an administrator, or within four months of these rules becoming effective, whichever is later, and shall be completed again every three years from the completion of previous ITS-SIDS training;
- (3) Completion of ITS-SIDS training may be included **once every three years** in the number of hours needed to meet annual in-service training requirements in Section .0700 of this Subchapter;
- (4) Individuals who have completed initial ITS-SIDS training prior to this rule becoming effective shall not be required to repeat the training until three years from the completion of initial ITS-SIDS training; and
- (5) **Prior to an individual assuming responsibility for the care of an infant, the center's safe sleep policy for infants shall be reviewed** with the individual as required by Rule .0707 (a).

SECTION .1700 –FAMILY CHILD CARE HOME REQUIREMENTS

10A NCAC 9 .1705 HEALTH AND TRAINING REQUIREMENTS FOR FAMILY CHILD CARE HOME OPERATORS

(b) After receiving a license, an operator shall:

(1) Update the health questionnaire referenced in Paragraph (a) of this Rule annually. The Division may require the operator to obtain written proof that he or she is free of active tuberculosis.

- (2) Complete a first aid course as referenced in Paragraph (a) of this Rule every three years.
- (3) Successfully complete a CPR course annually as referenced in Paragraph (a) of this Rule.
- (4) **If licensed to care for infants ages 12 months and younger, complete ITS-SIDS training within four months of receiving the license, or within four months of this**

rule becoming effective, whichever is later, and complete it again every three years from the completion of previous ITS-SIDS training. Completion of ITS-SIDS training may be included once every three years in the number of hours needed to meet the annual in-service training requirement in Paragraph (b) (5) of this Rule. Individuals who have completed initial ITS-SIDS training prior to this rule becoming effective shall not be required to repeat the training until three years from the completion of initial ITS-SIDS training.

Safe Sleep Policy

10A NCAC 09 .1724 SAFE SLEEP POLICY

(a) Each operator licensed to care for infants aged 12 months or younger shall develop and adopt a written safe sleep policy that:

- (1) specifies that the operator shall place infants aged 12 months or younger on their backs for sleeping, unless:
 - (A) for an infant aged six months or less, the operator receives a written waiver of this requirement from a health care provider, as defined in G.S. 58-50-61(a)(8); or
 - (B) for an infant older than six months, the operator receives a written waiver of this requirement from a health care provider, as defined in G.S. 58-50-61(a)(8), or a parent, or a legal guardian;
- (2) specifies that infants aged 12 months or younger shall be placed in a crib, bassinet or play pen with a firm padded surface when sleeping;
- (3) specifies whether pillows, blankets, toys, and other objects may be placed in a crib with a sleeping infant aged 12 months or younger, and if so, specifies the number and types of allowable objects;
- (4) specifies that nothing shall be placed over the head or face of an infant aged 12 months or younger when the infant is laid down to sleep;
- (5) specifies that the temperature in the room where infants aged 12 months or younger are sleeping does not exceed 75°F;
- (6) specifies the means by which the operator shall visually check sleeping infants aged 12 months or younger;
- (7) specifies the frequency with which the operator shall visually check sleeping infants aged 12 months or younger;
- (8) specifies how the operator shall document compliance with visually checking on sleeping infants aged 12 months or younger, with such documents to be maintained for a minimum of one month;
- (9) specifies any other steps the operator shall take to provide a safe sleep environment for infants aged 12 months or younger.

(b) The operator shall post a copy of the safe sleep policy or a poster about safe sleep practices in a prominent place in the infant sleeping room or area.

(c) A copy of the operator's safe sleep policy shall be given and explained to the parents of an infant aged 12 months or younger on or before the first day the infant attends the home. The parent shall sign a statement acknowledging the receipt and explanation of the policy. The acknowledgement shall contain:

- (1) the infant's name;

- (2) the date the infant first attended the home;
- (3) the date the operator's safe sleep policy was given and explained to the parent; and
- (4) the date the parent signed the acknowledgement.

The operator shall retain the acknowledgement in the child's record as long as the child is enrolled at the home.

(d) If an operator amends a home's safe sleep policy, the operator shall give written notice of the amendment to the parents of all enrolled infants aged 12 months or younger at least 14 days before the amended policy is implemented. Each parent shall sign a statement acknowledging the receipt and explanation of the amendment. The operator shall retain the acknowledgement in the child's record as long as the child is enrolled at the home.

(e) A physician's or parent's waiver of the requirement that all infants aged 12 months or younger be placed on their backs for sleeping shall:

- (1) bear the infant's name and birth date;
- (2) be signed and dated by the infant's physician or parent; and
- (3) specify the infant's authorized sleep positions;

The operator shall retain the waiver in the child's record as long as the child is enrolled at the home.

(f) For each infant with a waiver on file at the home as specified in Paragraph (e) of this Rule, a notice shall be posted for quick reference near the infant's crib, bassinet, or play pen that shall include:

- (1) the infant's name;
- (2) the infant's authorized sleep position; and
- (3) the location of the signed waiver.

No confidential medical information, including an infant's medical diagnosis, shall be shown on the notice.

(g) The home's safe sleep policy shall be developed and shared with parents of infants currently enrolled within 30 days of this Rule becoming effective.

History Note: Authority G.S. 110-91(15); 143B-168.3;
Eff. May 1, 2004.

Other Health and Safety Issues:

Tobacco

10A NCAC 09 .1720 SAFETY, MEDICATION, AND SANITATION REQUIREMENTS

(a) To assure the safety of children in care, the operator shall:

- (1) empty firearms of ammunition and keep both in separate, locked storage;
- (2) keep items used for starting fires, such as matches and lighters, out of the children's reach;
- (3) keep all medicines in locked storage;
- (4) keep hazardous cleaning supplies and other items that might be poisonous, e.g., toxic plants, out of reach or in locked storage when children are in care;
- (5) keep first aid supplies in a place accessible to the operator;

- (6) keep tobacco products out of reach or in locked storage when children are in care;
- (7) ensure the equipment and toys are in good repair and are developmentally appropriate for the children in care;

10A NCAC 09 .1720 SAFETY, MEDICATION, AND SANITATION REQUIREMENTS

(f) The operator shall not use tobacco products at any time while children are in care. Smoking or use of tobacco products shall not be permitted indoors while children are in care, or in a vehicle when children are transported.